

Remarks

This paper is respectfully submitted in response to the Office Action mailed November 14, 2000. Reconsideration and allowance of the claims are respectfully requested.

The Applicant has cancelled claims 5 through 11. Accordingly, the rejections relevant to those claims have now been rendered moot. Claims 12 to 16 stand rejected. Applicant submits that the rejected claims are patentable based upon the following

Claim 12 comprises the central claim which is currently being presented. In pertinent part, the claim recites as follows:

A lacrosse stick head comprising a frame having a central longitudinal axis and netting attached to said frame, said frame comprising a throat portion, first and second side walls extending from said throat portion and diverging from each other, said second sidewall forming a convex curve extending in the longitudinal direction of the sidewall at least along an upper edge thereof, said convex curve facing towards said longitudinal axis, and a lip portion joined to ends of said sidewalls remote from said throat portion, **said lip portion being below said central longitudinal axis and said sidewalls**, wherein said frame is made of strong rigid plastics material.

Claim 12 has been rejected under Section 103 based upon a patent to Taylor in view of the 1983 Minutes from a NCAA board meeting. The rejection is untenable. Mr. Robert Rule was the individual who presented the stick in question to the NCAA in 1983 and who is mentioned in the notes. Mr. Rule has executed the attached Declaration in support of Applicant. As specifically set forth in the attached Declaration, Mr. Rule's 1983 embodiment did not include a stick head in which the lip portion is below the central longitudinal axis of the stick head and below the side walls. This critical feature was not disclosed or invented in 1983. It is Mr. Rule's conclusion that the present invention embodied in claim 12 constitutes a patentable improvement over the prior art.



Petition for Three (3) Month Extension

Applicant respectfully requests an Extension of (3) Three Months in which to respond to the Office Action. Applicants' check in the amount of four hundred and fifty-five dollars made payable to the Commissioner is attached here. Please debit any shortfall to Deposit Account No. 50-1401.

Conclusion

The present application is deemed to be in condition for reissue. A prompt allowance is respectfully requested.

Respectfully submitted,

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Date: 5/14/2001

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APPENDIX A-CLAIM 12 With Highlight Corrections

12. (Twice Amended) A lacrosse stick head comprising a frame having a central longitudinal axis and netting attached to said frame, said frame comprising a throat portion, first and second side walls extending from said throat portion and diverging from each other, said second sidewall forming a convex curve extending in the longitudinal direction of the sidewall at least along an upper edge thereof, said convex curve facing towards said longitudinal axis, and a lip portion joined to ends of said sidewalls remote from said throat portion, said lip portion being below said central longitudinal axis and said sidewalls, wherein said frame is made of strong rigid plastics material.

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